

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ST. LUKE’S EPISCOPAL HOSPITAL,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-05-1438
	§	
ACORDIA NATIONAL and	§	
KNUST-SBO,	§	
	§	
Defendants.	§	

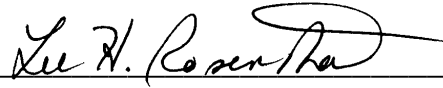
**ORDER REMANDING CLAIM TO ERISA PLAN ADMINISTRATOR AND
STAYING AND ADMINISTRATIVELY CLOSING CASE**

Consistent with this court’s Memorandum and Order of even date, summary judgment is granted dismissing the plaintiff’s state-law misrepresentation claim and denied as to the ERISA benefits claim. That claim is remanded to the ERISA plan administrator to allow a review by the Plan Benefit Committee in accordance with ERISA and the plan requirements. The parties must adhere to the applicable procedures and time limits. Acordia National must notify Rachel Galvan (and St. Luke’s Hospital, her assignee), of the result of the administrative review.

This case is administratively closed pending the outcome of the remand to the plan administrator. The parties must notify this court of the plan administrator’s decision no later than 30 days after it is issued. If St. Luke’s wishes to seek review from this court, it may ask

this court to reinstate the case on the active docket within 30 days after the administrative review is concluded.

SIGNED on February 13, 2007, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is positioned above a horizontal line. The signature is fluid and cursive, with a large, sweeping loop at the end.

Lee H. Rosenthal
United States District Judge